

# WIGDOR LLP

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July 18, 2018

## **VIA ECF AND FEDERAL EXPRESS**

The Honorable George B. Daniels  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 1310  
New York, NY 10007

Re: Wheeler v. Twenty-First Century Fox, Inc., *et al.*; Index No. 17 Civ. 05807 (GBD)  
Second Request to Order Defendant Butowsky to Cease and Desist Contacting  
Wigdor LLP

Dear Judge Daniels,

We are former counsel of record to Plaintiff Rod Wheeler.<sup>1</sup> On July 12, 2018, Your Honor entered an order that “Mr. Butowsky should follow the advice of his counsel and not attempt to contact any of Mr. Wheeler’s former attorneys or the law firm of Wigdor LLP.” See Dkt. No. 99. We requested that Butowsky be ordered to cease and desist from contacting our Firm based on menacing and threatening voicemails left by Butowsky for Douglas H. Wigdor that *inter alia* warned Mr. Wigdor, Michael J. Willemin and me about an upcoming “face to face” with Butowsky, possibly in our “hometowns.” We submitted the voicemails to Your Honor on June 27, 2018. See Dkt. No. 97.

Butowsky lacks the ability to adhere to Your Honor’s order or his counsel’s directives. Such impulse control failure has resulted in Butowsky embarking on another round of threatening and harassing behavior towards the Firm. Today at 3:21 pm, Butowsky emailed Mr. Willemin with the subject line, “**you might want to have this.**” The body of the email contained a link to a You Tube video entitled “Michael Willemin of Wigdor LLC [sic] attorney for Rod Wheeler goes with Botched Robbery story.” See Exhibit A. The video is a spliced and tampered recording of an interview with Mr. Willemin.<sup>2</sup>

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<sup>1</sup> On May 30, 2018, Your Honor granted our motion to withdraw as counsel. See Dkt. No. 96. A meritless Fed. R. Civ. P. 11 motion, filed by Butowsky, is pending against our Firm. See Dkt. Nos. 44, 57, 70.

<sup>2</sup> The video can be accessed at: <https://www.youtube.com/watch?v=rk6YvamVN-w>.

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Pathetically, Butowsky sent Mr. Willemin a second email at 4:12 pm. See Exhibit B. Using the same subject line, “**you might want to have this**,” Butowsky wrote:

**“Please disregard. I meant to send to someone else. My apologies.”**

These emails exhibit more than mere juvenile offending by Butowsky. The 16 minute You Tube video, the email’s subject line, coupled with the earlier threatening communications to Mr. Wigdor shows Butowsky’s sinister intent to harass and threaten.

Butowsky flouts instruction from this Court. Butowsky’s counsel has no control over his client’s actions. For these reasons, and for reasons expressed in our letter on June 27, 2018, we respectfully request that Your Honor order Mr. Butowsky to cease and desist from any further communications with our Firm. In the event Butowsky continues to mock the judicial process and communicates with our Firm again, we respectfully request that Butowsky is immediately sanctioned in an amount to be determined by Your Honor.

We thank Your Honor for the Court’s time and consideration of this matter.

Respectfully submitted,



Jeanne M. Christensen

Encl.

cc: Counsel for Defendants (*via* ECF)

# Exhibit A

**From:** ed butowsky [<mailto:ebutowsky@gmail.com>]  
**Sent:** Wednesday, July 18, 2018 3:21 PM  
**To:** Michael J. Willemin  
**Subject:** you might want to have this

<https://www.youtube.com/watch?v=rk6YvamVN-w>

# Exhibit B

**From:** [ebutowsky@gmail.com](mailto:ebutowsky@gmail.com) [mailto:[ebutowsky@gmail.com](mailto:ebutowsky@gmail.com)]  
**Sent:** Wednesday, July 18, 2018 4:12 PM  
**To:** Michael J. Willemin  
**Subject:** Re: you might want to have this

Please disregard. I meant to send to someone else. My apologies.

On Jul 18, 2018, at 2:21 PM, ed butowsky <[ebutowsky@gmail.com](mailto:ebutowsky@gmail.com)> wrote:

<https://www.youtube.com/watch?v=rk6YvamVN-w>